



State Water Resources Control Board

Division of Drinking Water

March 9, 2015

Dan Kennison, President Lakeview Ranchos Mutual Water Company P.O. Box 1062 Weldon, CA 93283

RE: LAKEVIEW RANCHOS MUTUAL WATER COMPANY (WATER SYSTEM NO. 1500525)
COMPLIANCE ORDER FOR VIOLATION OF ARSENIC MCL

Enclosed is Compliance Order No. 03-19-15R-002 that the State Water Resources Control Board, Division of Drinking Water (hereinafter Division) is issuing to the Lakeview Ranchos Mutual Water Company (hereinafter Water Company) for a violation of the California Safe Drinking Water Act. The Water Company has been serving water to consumers that fails the primary maximum contaminant level (MCL) for arsenic of 0.010 milligrams-per-liter. As discussed in the compliance order, the Water Company shall develop and implement a plan to resolve the arsenic MCL violation and ensure that water served to consumers meets all drinking water standards.

Please note that on or before April 9, 2015, the Water Company is required to submit a written response to the Division indicating its agreement to comply with the directives of the compliance order and with the Corrective Action Plan addressed in the said compliance order. On or before June 9, 2015, the Water System is required to present the Corrective Action Plan required under Directive No. 6 of the compliance order, to the Division in person at the Division's office located at 4925 Commerce Drive, Suite 120, Bakersfield, California 93309. Deadline to achieve compliance with the arsenic MCL is March 9, 2018. Until the Division determines that the Water Company is in compliance with the arsenic MCL, you must continue to provide quarterly public notification for arsenic. After providing quarterly public notification, a copy of the public notice along with a completed Certification of Public Notification form (Attachment C of the compliance order) should be submitted to the Division's Bakersfield office. Failure to comply with deadlines and directives specified in the compliance order will result in further enforcement action by the Division.

If you have any questions regarding this matter, please contact me at (661) 335-7318 or Carl Carlucci, Supervising Sanitary Engineer at (559) 447-3131.

Sincerely,

Jaminda Malind

Jaswinder S. Dhaliwal, P.E.

Senior Sanitary Engineer, Tehachapi District

Southern California Drinking Water Field Operations Branch

DIVISION OF DRINKING WATER

Enclosure:

Compliance Order No. 03-19-15R-002

CC:

Kern County Environmental Health Services Department (w/out enclosure)

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CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD DIVISION OF DRINKING WATER

TO:

Lakeview Ranchos Mutual Water Company Water System

(System No. 1500525)

ATTN: Dan Kennison, Board President

P.O. Box 1062 Weldon, CA 93283

AND

Lakeview Ranchos Mutual Water Company, Inc.

COMPLIANCE ORDER NO. 03-19-15R-002

FOR

VIOLATION OF HEALTH AND SAFETY CODE SECTION 1166555 (a)(1) AND THE PRIMARY DRINKING WATER STANDARD FOR ARSENIC Dated March 9, 2015

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The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues this compliance order (hereinafter "Order") pursuant to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to Lakeview Ranchos Mutual Water Company for violation of CHSC section 116555(a)(1) and Title 22, California Code of Regulations (hereinafter "CCR"), Section 64431.

APPLICABLE AUTHORITIES

CHSC, Section 116555(a)(1) states in relevant part:

- (a) Any person who owns a public water system shall ensure that the system does all of the following:
- (1) Complies with primary and secondary drinking water standards.

CHSC, Section 116655 states in relevant part:

- (a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:
- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the department.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.
- (b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:
- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

Title 22, CCR, Section 64431 (hereinafter "Section 64431"), states in relevant part:

Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

Table 64431-A Maximum Contaminant Levels Inorganic Chemicals

Chemical	Maximum Contaminant Level, mg/L
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as NO3)	45.
Nitrate+Nitrite (sum as	10.
nitrogen)	
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

^{*} MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

Title 22, CCR Section 64432 (hereinafter "Section 64432") provides in relevant part:

Section 64432

- (g) If the level of any inorganic chemical, except for nitrate, nitrate plus nitrite, or perchlorate, exceeds the MCL, the water supplier shall do one of the following:
- (1) Inform the Department within 48 hours and monitor quarterly beginning in the next quarter after the exceedance occurred; or

- (2) Inform the Department within seven days from the receipt of the analysis and, as confirmation, collect one additional sample within 14 days from receipt of the analysis. If the average of the two samples collected exceeds the MCL, this information shall be reported to the Department within 48 hours and the water supplier shall monitor quarterly beginning in the next quarter after the exceedance occurred.
- (h) If the concentration of an inorganic chemical exceeds ten times the MCL, within 48 hours of receipt of the result the water supplier shall notify the Department and resample as confirmation. The water supplier shall notify the Department of the result(s) of the confirmation sample(s) within 24 hours of receipt of the confirmation result(s).
- (1) If the average concentration of the original and confirmation sample(s) is less than or equal to ten times the MCL, the water supplier shall monitor quarterly beginning in the quarter following the quarter in which the exceedance occurred.
- (2) If the average concentration of the original and confirmation sample(s) exceeds ten times the MCL, the water supplier shall, if directed by the Department;
- (A) Immediately discontinue use of the contaminated water source; and
- (B) Not return the source to service without written approval from the Department.
- (i) Compliance with the MCLs shall be determined by a running annual average; if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation. If a system takes more than one sample in a quarter, the average of all the results for that quarter shall be used when calculating the running annual average. If a system fails to complete four consecutive quarters of monitoring, the running annual average shall be based on an average of the available data.

STATEMENT OF FACTS

Division is informed by the Water System and believes that the Lakeview Ranchos Mutual Water Company Water System (hereinafter "Water System") is a community water system located in Kern County that supplies water for domestic purposes to approximately 120 individuals through approximately 71 service connections. The Water System operates under Domestic Water Supply Permit No. 03-19-03P-002, issued on June 25, 2003. The Water System is a community public water system as defined in CHSC, section 116275.

The Water System utilizes four groundwater wells as its source of domestic water. Title 22, CCR, Division 4, Chapter 15, Article 4, establishes primary drinking water standards and monitoring and reporting requirements for inorganic constituents. Community and nontransient noncommunity water systems must comply with the maximum contaminant level for arsenic of 0.010 mg/L, as established in Title 22 CCR Section 64431.

Samples collected from the Water System on May 29, 2008, showed an arsenic concentration of 0.080 mg/L in Well 01 (PS Code: 1500525-002). Samples collected from the Water System on May 29, 2008, showed an arsenic concentration of 0.020 mg/L in Well 03 (PS Code 1500525-003). Therefore, in accordance with Section 64431 (g), the Water System was required to begin quarterly arsenic monitoring of each well, unless it chose to submit an additional sample, which it did not do. Section 64431 (i) provides that compliance with the arsenic MCL is based on a "running annual average" (RAA) of the quarterly monitoring

samples, computed each quarter. Further, Section 64431 (i) states: "if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation."

A summary of the Water System's arsenic monitoring is presented in Table 1 below. All results are as reported to the Division by the laboratory that performed the analysis.

Table 1: Well 01 and Well 03 Arsenic Monitoring Results and RAA

Table 1: Well 01 and Well 03 Arsenic Monitoring Results and RAA				
Sample Quarter	Well 01 Result (mg/L)	Well 01 RAA (mg/L)	Well 03 Result (mg/L)	Well 03 RAA (mg/L)
2 nd Quarter of 2008	0.080	N/A	0.020	N/A
3 rd Quarter of 2008	No Sample	N/A	No Sample	N/A
4 th Quarter of 2008	No Sample	N/A	No Sample	N/A
1 st Quarter of 2009	0.096	0.044*	0.000	0.005
2 nd Quarter of 2009	No Sample	0.024*	No Sample	0.000
3 rd Quarter of 2009	0.017	0.028*	0.015	0.0038
4 th Quarter of 2009	No Sample	0.028*	No Sample	0.0038
1 st Quarter of 2010	0.051	0.017*	0.020	0.0088
2 nd Quarter of 2010	0.065	0.033*	0.022	0.014*
3 rd Quarter of 2010	No Sample	0.029*	0.019	0.015*
4 th Quarter of 2010	0.031	0.037*	0.019	0.020*
1 st Quarter of 2011	0.028	0.031*	0.019	0.020*
2 nd Quarter of 2011	0.032	0.023*	0.017	0.019*
3 rd Quarter of 2011	0.035	0.032*	0.019	0.019*
4 th Quarter of 2011	0.056	0.038*	0.015	0.018*
1 st Quarter of 2012	0.066	0.047*	0.019	0.018*
2 nd Quarter of 2012	0.110	0.067*	0.020	0.018*
3 rd Quarter of 2012	0.069	0.075*	0.020	0.019*
4 th Quarter of 2012	0.016	0.065*	0.018	0.019*
1 st Quarter of 2013	0.051	0.062*	0.088	0.037*
2 nd Quarter of 2013	0.029	0.041*	0.008	0.034*
3 rd Quarter of 2013	0.059	0.039*	0.014	0.032*
4 th Quarter of 2013	0.160	0.075*	0.014	0.031*
1 st Quarter of 2014	0.035	0.071*	0.020	0.014*
2 nd Quarter of 2014	0.037	0.073*	0.016	0.016*
3 rd Quarter of 2014	0.019	0.063*	0.014	0.016*
4 th Quarter of 2014	0.025	0.029*	0.011	0.015*

The first quarter 2009 RAA for Well 01, calculated as the second quarter of 2008 and the first quarter of 2009 sample results averaged over a four quarter period, is 0.044 mg/L, which exceeds the arsenic MCL of 0.010 mg/L. Results of samples taken from water produced by Well 01 since 2008 show that the RAA for arsenic in said well continues to exceed the arsenic MCL.

The second quarter 2010 RAA for Well 03, calculated as the third quarter of 2009 through the second quarter of 2010 sample results averaged over a four quarter period, is 0.014 mg/L, which exceeds the arsenic MCL of 0.010 mg/L. Results of samples taken from water produced by Well 03 since 2009 show that the RAA for arsenic in said well continues to exceed the arsenic MCL.

DETERMINATIONS

Based on the above Statement of Facts, the Division has determined that the Water System has violated CHSC, Section 116555 and Section 64431 in that the water produced by Well 01, during the first quarter of 2009, exceeded the arsenic MCL as shown in Table 1 above, and further has determined that said violation has continued from 2009 and through the date of this Order.

Based on the above Statement of Facts, the Division has determined that the Water System has violated CHSC, Section 116555 and Section 64431 in that the water produced by Well 03, during the second quarter of 2010, exceeded the arsenic MCL as shown in Table 1 above, and further has determined that said violation has continued from 2010 and through the date of this Order.

DIRECTIVES

Water System is hereby directed to take the following actions:

- 1. On or before March 9, 2018, comply with Title 22, CCR, Section 64431 and remain in compliance.
- 2. On or before April 9, 2015, submit a written response to the Division indicating its agreement to comply with the directives of this Order and with the Corrective Action Plan addressed herein.
- 3. Commencing on the date of service of this Order, provide quarterly public notification in accordance with **Attachment A**, hereto, of Water System's failure to meet the arsenic MCL during any calendar quarter that the four-quarter running annual average exceeds the MCL.
- 4. Commencing on the date of service of this Order, submit proof of each public notification conducted in compliance with Directive No. 3, herein above, within 10 days following each such notification, using the form provided as **Attachment B**, hereto.
- 5. Commencing on the date of service of this Order collect quarterly samples for arsenic from Well 01 and Well 03, as required by Section 64432(g), and ensure that the analytical results are reported to the Division electronically by the analyzing laboratory no later than the 10th day following the month in which the analysis was completed.

6. Prepare for Division approval a Corrective Action Plan identifying improvements to the water system designed to correct the water quality problem (violation of the arsenic MCL) and ensure that the Water System delivers water to consumers that meets primary drinking water standards. The plan shall include a time schedule for completion of each of the phases of the project such as design, construction, and startup, and a date as of which the Water System will be in compliance with the arsenic MCL, which date shall be no later than March 9, 2018.

- On or before June 9, 2015, present the Corrective Action Plan required under Directive No.
 above, to the Division in person at the Division's offices located at 4925 Commerce Drive, Suite 120, Bakersfield, California 93309.
- 8. Timely perform the Division approved Corrective Action Plan and each and every element of said plan according to the time schedule set forth therein.
- 9. On or before September 9, 2015, and every three months thereafter, submit a report to the Division in the form provided as **Attachment C**, hereto, showing actions taken during the previous calendar three months to comply with the Corrective Action Plan.
- 10. Not later than ten (10) days following the date of compliance with the arsenic MCL, demonstrate to the Division that the water delivered by Water System complies with the arsenic MCL.

11. Notify the Division in writing no later than five (5) days prior to the deadline for performance of any Directive set forth herein if Water System anticipates it will not timely meet such performance deadline.

All submittals required by this Order shall be addressed to:

Jaswinder S. Dhaliwal, Senior Sanitary Engineer State Water Resources Control Board Division of Drinking Water, Tehachapi District 4925 Commerce Drive, Suite 120 Bakersfield, California 93309

As used in this Order, the date of issuance shall be the date of this Order; and the date of service shall be the date of service of this Order, personal or by certified mail, on the Water System.

The Division reserves the right to make such modifications to this Order and/or to issue such further order(s) as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be deemed effective upon issuance.

Nothing in this Order relieves Water System of its obligation to meet the requirements of the California SDWA, or any regulation, standard, permit or order issued thereunder.

PARTIES BOUND

This Order shall apply to and be binding upon Water System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Order are severable, and Water System shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the Board. The Board does not waive any further enforcement action by issuance of this Order.

All.

Date

Carl L. Carlucci, P.E., Chief Central California Section

State Water Resources Control Board

Division of Drinking Water

Certified Mail No. 7010 3090 0002 0396 4802

Attachments

Attachment A: Public Notification Template

Attachment B: Certification of Public Notification Template

Attachment C: Quarterly Progress Report Template

Cc: Board of Directors, Lakeview Ranchos MWC
Kern County Environmental Health Services Department (w/o attachments)



Instructions for Tier 2 Chemical or Radiological MCLs Notice Template

Template Attached

Since exceeding chemical or radiological maximum contaminant levels (MCLs) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations Title 22, Chapter 15, Section 64463.4(b)]. Each water system required to give public notice must submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department [64463(b)].

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

If You Are a	You Must Notify Consumers by	and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method		
Community	Mail or direct delivery (a)	Publication in a local newspaper		
Water System [64463.4(c)(1)]		Posting in public places served by the water system or on the Internet (b)		
		Delivery to community organizations		
Non-Community	Posting in conspicuous	Publication in a local newspaper or		
Water System	locations throughout the	newsletter distributed to customers		
[64463.4(c)(2)]	area served by the water	Email message to employees or		
	system ^(b)	students		
		Posting on the Internet or intranet (b)		
		Direct delivery to each customer		

- (a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.
- (b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

<u>Spanish.</u> Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (1) contain information in the appropriate language(s) regarding the importance of the notice or (2) contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Corrective Action

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with chemical or radiological violations. Use one or more of the following actions, if appropriate, or develop your own:

- "We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove [contaminant] or connecting to [system]'s water supply."
- "We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well."
- "We will increase the frequency at which we test the water for [contaminant]."
- "We have since taken samples at this location and had them tested. They show that we meet the standards."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the Department within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Department sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a "problem corrected" notice when the violation is resolved.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Lakeview Ranchos Mutual Water Company Has Levels of Arsenic, Uranium, and Radium 226 & 228 Above the Drinking Water Standard

Our water system recently violated drinking water standards. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Water sample results showed arsenic, uranium, and radium 226 &228 levels above the maximum contaminant level (MCL) (See Table below). Compliance is determined based on the running annual average (RAA) of each source.

	Arsenic RAA _ Quarter of	Uranium RAAQuarter of	Radium 226 & 228 RAAQuarter of
MCL	10 μg/L	20 pCi/L	5 pCi/L
Well 01			
Well 02			
Well 03			
Well 04			

What should I do?

- You do not need to use an alternative water supply (e.g., bottled water).
- This is not an emergency. If it had been, you would have been notified immediately. However;
 - Some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk to getting cancer.
 - Some people who drink water containing uranium in excess of the MCL over many years may have kidney problems or an increased risk of getting cancer.
 - Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

We are working with the California Department of quality problem. For more information, please contage or the State Water Resources Control Box 7315.	
Please share this information with all the othe those who may not have received this n apartments, nursing homes, schools, and busi public notice in a public place or distributing co	otice directly (for example, people in nesses). You can do this by posting this
This notice is being sent to you by Lakeview Ra	anchos Mutual Water Company.
Date: Si	igned:

Certification of Completion of Public Notification (Include a Copy of Public Notice with the Certification of Completion of Public Notification)

This form, when completed and returned to the Division of Drinking Water – Tehachapi District (4925 Commerce Drive, Suite 120, Bakersfield, CA 93309 or fax to 661-335-7316), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Publi	c Water Sy	stem Name: _	Lake	view Ranchos MWC	
Publi	c Water Sy	stem No.:	1500	525	
Public	notification	for <u>arsenic, u</u>	ranium, and	total radium MCL violation for the () Quarter
<u>of</u>					
was p	erformed by	the following r	method(s) (ch	eck and complete those that apply):	
	The notice	was mailed to A copy of the	users on: notice is attac	ched.	
	The notice	was hand deli A copy of the		er customers on: ched.	
	The notice			newspaper on: otice is attached.	
	The notice	A copy of the	notice is attac	places on: ched. was posted is attached.	
	The notice	tice was delivered to community organizations on:A copy of the notice is attached. A list of community organizations the notice was delivered to is attached.			
I herel	by certify tha	at the above inf	formation is fa	actual.	
				Printed Name	
				Title	
				Signature	
				Date	

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for separate violation each day that the violation continues. In addition, the violators may be prosecuted in criminal court and, upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due to the Division of Drinking Water within 10 days of issuance of notice to customers

Enforcement Action No. 03-19-15O-002, 03-19-14O-001, 03-19-13O-006

Quarterly Progress Report

Water System:	Lakeview Ranchos MWC	Water System No.:	1500525
Compliance Order No.:	03-19-15R-002	Violation:	Arsenic MCL
Calendar Quarter:		Date Prepared:	
implement the directive additional sheets as nec	s of the Compliance Orde	er System personnel with a er and the Corrective Actions ss report must be submitted , Tehachapi District Office.	n Plan. Please attach
Summary of Comp	liance Plan:		
Tasks completed in	the reporting quarter:	:	
Tasks remaining to	complete:		
		THE STREET STREET, STREET STREET, STRE	
A 4:			
Anticipate compliar	ice date:		
Na		Signature	
Name		Signature	
Title		Date	